

PTO/SB/17 (12-04v2)

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FEE TRANSMITTAL For FY 2006		Complete if Known	
		Application Number	10/009,950
		Filing Date	December 14, 2001
		First Named Inventor	Akira Nakamura
		Examiner Name	V. Bertoglio
		Art Unit	1632
		Attorney Docket No.	31671-176197
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$)	130.00	

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>22-0261</u> Deposit Account Name: <u>Venable LLP</u>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	\$1000
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
						<u>Small Entity</u>	
						Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
1 - 20 =		x	50	=	Fee (\$)		Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
1 - 3 =		x	200	=			
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)		
15	- 100 =	/50		(round up to a whole number) x			
4. OTHER FEE(S)							
Petition for Reconsideration of Patent Term Adjustment							\$200.00

SUBMITTED BY			
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Name (Print/Type)	Ann S. Hobbs, Ph.D.		Date
			October 13, 2006

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UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Akira NAKAMURA, *et al.*

Application No. 10/009,950

Filed: December 14, 2001

For : GOODPASTURE'S SYNDROME
MODEL MOUSE

Allowed: July 14, 2006

Art Unit : 1632

Examiner: Valarie E. BERTOGLIO

Atty. Docket No. 31671-176197

Customer No.

26694

PATENT TRADEMARK OFFICE

REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT
UNDER 37 CFR §1.705(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/17/2006 MAHMEDE 00000032 220261 10009950
01 FC:1455 200.00 DA

Sir:

Applicants hereby petition and request a review of the PATENT TERM ADJUSTMENT in the above-identified application relating to the subject allowed U.S. patent application.

The Patent Office has indicated a patent term adjustment of 0 days. Based on applicant's review of the file, Applicants believe this is incorrect, and that a PTA of 727 days should be granted, due to the PTO having misplaced the response to restriction filed on April 10, 2003, and having failed to issue the patent within three years. Therefore,

Applicants respectfully request reconsideration of the PTA based on the facts outlined below.

This application was filed on December 14, 2001. The first substantive action was a restriction requirement issued March 11, 2003, a delay of 25 days by the USPTO beyond the 14 month period allowed.

Applicants timely filed a response on April 10, 2003, a copy of which is enclosed, along with the date stamped receipt from the Office. Nonetheless, this response was misplaced by the Office, and it was necessary for Applicants to submit a duplicate copy on November 26, 2003. This duplicate response was apparently entered with a date of March 30, 2004, and Applicants were charged 293 days of delay. This charge is incorrect.

Because of the loss of Applicants' timely response, as noted above, the Office did not issue a substantive nonfinal Office Action until May 18, 2004, a delay of 305 days beyond the allowed four month period. This represents a delay of 305 days by the Office.

Applicants incurred a delay of 43 days for the "non-responsive" amendment filed on December 29, 2005, which was remedied on February 10, 2006.

Accordingly, it is respectfully submitted that due to these delays Applicants are entitled to a PTA of at least 297 days ($305 + 25 - 43$).

A Notice of Allowance was mailed on July 14, 2006. This is well beyond the 3 year pendency allowed, and it is submitted that Applicants are entitled to further PTA based on the issue date. If the issue fee is paid on October 14, 2006 and the patent issues on the Tuesday before the date that is twenty eight weeks after the mailing date of the Notice of Allowance, the PTA should be 727 days ($770 - 43$).

Accordingly, it is respectfully submitted that a PTA of 727 days is due. It is respectfully requested that the PTA for this application be reviewed and adjusted accordingly.

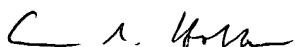
This application is not subject to any terminal disclaimers.

Akira NAKAMURA, et al
U.S. Serial No. 10/009,950

Please charge any necessary fees that are not included herewith or credit any refunds to deposit account no. 22-0261.

Respectfully submitted,

Date: 10/13/06


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